

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

United States of America,

Plaintiff,

-against-

Andy Adames,

Defendant.

No. 16-CR-167 (LAP)

ORDER

LORETTA A. PRESKA, Senior United States District Judge:

The Court is in receipt of the letter filed by Mr. Adames, dated April 1, 2024, (see dkt. no. 485), the letter response filed by the Government, dated April 7, 2024, (see dkt. no. 488), and the letter filed by Mr. Adames, dated April 8, 2024, in which he requests an adjournment of the hearing currently scheduled for April 11, 2024, at 10:30 a.m., (see dkt. no. 489).

The Court hereby adjourns the hearing currently scheduled for April 11, 2024, until 10:00 a.m. on May 21, 2024.

Mr. Adames's request to terminate his home incarceration, (see dkt. no. 485), is denied. Although the four charges that had been pending against Mr. Adames in Queens Criminal Court were dismissed on February 26, 2024, there remains an indictment against Mr. Adames in New York Supreme Court for felony drug sales as well as a criminal complaint filed against him in New York Criminal Court for separate conduct relating to the possession of narcotics. (See dkt. no. 488 at 1.)

In addition to the conduct underlying the dismissed charges in Queens Criminal Court, the conduct supporting the indictment and the conduct supporting the criminal complaint against Mr. Adames in New York County created the basis for which Mr. Adames was summoned to appear before this Court on January 11, 2024. (See dkt. no. 471 at 4-7.) Both the conduct for which Mr. Adames has been indicted in New York Supreme Court and the separate conduct supporting the criminal complaint filed in New York Criminal Court involved the possession and/or sale of narcotics, demonstrating the danger Mr. Adames poses to the community should he become free to return to the regular terms of supervised release without the terms of home incarceration this Court imposed at the hearing on January 11, 2024 and modified by order, dated February 21, 2024. (See id. at 13; see also dkt. no. 478 at 2.) The dismissal of the charges against him in Queens Criminal Court does not change the danger that the two cases in New York County demonstrate Mr. Adames poses to the community.

Mr. Adames is scheduled to appear in New York Criminal Court and New York Supreme Court on April 18, 2024, and May 16, 2024, respectively. (See dkt. no. 488 at 1; dkt. no. 489 at 1.) The parties may raise the modification of the terms of Mr. Adames's home incarceration following the conclusion of those appearances.

SO ORDERED.

Dated: April 10, 2024
New York, New York

A handwritten signature in black ink, reading "Loretta A. Preska". The signature is written in a cursive, flowing style.

LORETTA A. PRESKA
Senior United States District Judge